

NOTICE OF PUBLIC HEARING

The Board of Commissioners of Flathead County, Montana, hereby gives notice, pursuant to Section 76-2-205(1), M.C.A., that it will hold a public hearing to consider changes the creation of a new zoning district to be known as the Rural Whitefish Zoning District.

The boundaries of the proposed district are described as Section 1, Section 2 (excepting portions within the Big Mountain West Zoning District and Lot 18 Block 1 of the Sun Rise Ridge Subdivision Lot 44 of the Sun Rise Ridge Phase III Subdivision, The Big Mountain View Subdivision, Tract 1B and 1E and Chamonix Subdivision), Section 3 (excepting portions within the City of Whitefish and the Big Mountain West Zoning District), Section 4, 5, 9, 12, 13, 15, 22, 23, 24, 25, 27, 35 and 36 (excepting portions within the City of Whitefish), the North ½ of Section 8 and the North ½ of the Southeast ¼ of Section 8, Sections 10, 11 and 14 (excepting portions within the City of Whitefish and the East Whitefish Lake Zoning District), Section 26 (excepting portions within the City of Whitefish and the Lake Park Addition Zoning District), the Southwest ¼ of Section 34 (excepting the East ½ of the Southeast ¼ of the Southwest ¼), The East ½ of the Southeast ¼ Section 34 (excepting portions within the City of Whitefish) and the Northeast ¼ of Section 34 (excepting portions within the City of Whitefish and Tract 2C) of Township 31 North, Range 22 West, Sections 6, 19, 20, 29 and 30, the West ½ of the Southwest ¼ of Section 8 and the Southeast ¼ of the Southwest ¼ of Section 8 and Sections 7, 17, 18, 31 and 32 (excepting portions within the City of Whitefish) of Township 31 North, Range 21 West, Section 1 (excepting portions within the City of Whitefish), Section 2 (excepting portions within the City of Whitefish and the Blanchard Lake Zoning District), the North ½ of the Northeast ¼ of Section 3 (excepting portions within the Blanchard Lake Zoning District) and the North ½ of Section 12 (excepting portions within the City of Whitefish) of Township 30 North, Range 22 West, and the West ½ of the East ½ of Section 5 and the West ½ of Section 5 (excepting portions within the City of Whitefish), Section 6 and 7 (excepting portions within the City of Whitefish), Section 8 (excepting portions within the City of Whitefish and the Southeast Rural Whitefish Zoning District) and Sections 16, 17, 18 of Township 30 North, Range 21 West, P.M.M. in Flathead County, Montana (See attached map).

This proposal is to zone the areas within the County that were previously zoned by the City of Whitefish, to comparable County zoning allowing the county to administer the codes (it is important to note because the County does not administer City of Whitefish codes and interim zoning is not permanent, this is not a re-zoning, but a creation of a new County zoning district). The proposed zoning use classifications are described as follows:

- *“B-2A Secondary Business – The B-2A district is intended to be, as nearly as possible, compatible with the zoning ordinance of the City of Whitefish and to provide for those retail sales and services the operations of which are typically characterized by the need for large display or parking areas, large storage areas and by outdoor commercial amusement or recreational activities. This district depends on proximity to the City of Whitefish, highways or arterial streets and may be located in business corridors or islands.”*
- *“BMRR Big Mountain Resort Residential – The BMRR district is intended to provide for lower urban densities with little or no commercial activity. Uses within the resort residential will include nightly rentals, timesharing, interval ownerships, vacation clubs, or other multiple ownership residential uses.”*
- *“BMV Big Mountain Village – The BMV district is intended to provide a regulatory framework for primary resort residential land uses at mixed densities, and year round resort uses including hotels, resort condominiums and similar uses oriented towards tourism and resort businesses. Specific uses provided for include convention facilities, bars, lounges, restaurants, and limited resort oriented retail and commercial uses intended primarily for the*

convenience of guests of the Big Mountain Resort. The Big Mountain village is a densely compact resort core area characterized mainly by mixed and multiple use buildings and complexes. Retail, commercial services, and dining and drinking establishments will generally be located at street level, with hotel/residential uses above, and parking typically below street level.”

- *“BSD Business Service District – The business service district is intended to be, as nearly as possible, compatible with the zoning ordinance of the City of Whitefish and to create defined areas that are appropriate for nonretail limited commercial services and light industrial uses in proximity to the City of Whitefish. Typical uses would be light manufacturing and component assembly, office/warehouse showrooms, contractors, wholesale trades, and other nonretail commercial services of a destination nature. The grouping of uses shall be incorporated in order to develop as an island rather than as a strip. Landscaping will be extensive with good quality and effective screening and buffering.”*
- *“I-2 Heavy Industrial – A district to provide for industrial uses to accommodate heavy manufacturing, processing, fabrication, and assembly of parts or materials. It is also intended that the encroachment of non-industrial or unspecified commercial uses within the district be prevented”*
- *“R-2.5 Rural Residential – A district intended for rural, primarily residential areas where larger, estate-type lot sizes are appropriate and agricultural/silvicultural/horticultural operations are a decreasingly viable land use. The use of this district is appropriate in transition areas adjacent to and between higher-density Residential (R) and lower-density Suburban Agriculture (SAG) zones. This district is not appropriate in areas primarily surrounded by lower-density SAG and AG zones and/or areas adjacent to significant ongoing agricultural/silvicultural/horticultural and/or extractive industry operations. Furthermore, public facilities should be appropriately developed to accommodate the density and land uses of this designation. This includes paved roads. It is intended that no uses be permitted in this district that will tend to devalue property for residential purposes or interfere with the health, safety, order or general welfare of persons residing therein.”*
- *“R-1 Suburban Residential – A district to provide estate-type development. These areas would normally be located in rural areas away from concentrated urban development, typically not served by water or sewer services, or in areas where it is desirable to permit only low-density development (e.g., extreme topography, areas adjacent to floodplains, airport runway alignment extensions).”*
- *“R-2 One Family Limited Residential – A district to provide for large-tract residential development. These areas will typically be found in suburban areas, generally served by either sewer or water lines.”*
- *“R-3 One Family Residential – A district to provide adequate lot size for urban residential development; should have good thoroughfare access, and be in proximity to community and neighborhood facilities, i.e., schools, parks, shopping areas. This district will normally require all public utilities.”*
- *“R-4 Two-Family Residential – A district to provide lot areas for urban residential development. Development within the district will require all public utilities and all community facilities. A duplex is allowed in this district.”*

- *“RR-1 Low Density Resort Residential – The RR-1 district is intended to be, as nearly as possible, compatible with the zoning ordinance of the City of Whitefish and to provide a low density setting for secondary residential resorts in proximity to the City of Whitefish.”*
- *“SAG-10 Suburban Agricultural – A district to provide and preserve agricultural functions and to provide a buffer between urban and unlimited agricultural uses, encouraging separation of such uses in areas where potential conflict of uses will be minimized, and to provide areas of estate-type residential development.”*
- *“SAG-5 Suburban Agricultural – A district to provide and preserve smaller agricultural functions and to provide a buffer between urban and unlimited agricultural uses, encouraging separation of such uses in areas where potential conflict of uses will be minimized, and to provide areas of estate-type residential development.”*

The regulations defining the zoning use districts are contained in the Flathead County Zoning Regulations or part of the proposed text amendment to the Flathead County Zoning Regulations (FZTA-15-01), and are on file for public inspection at the Office of the Clerk and Recorder, located at 800 South Main, Kalispell, Montana, the Flathead County Planning and Zoning Office, 1035 1st Avenue West, Kalispell, Montana, and on the Flathead County Planning and Zoning Office’s website, at: http://flathead.mt.gov/planning_zoning/downloads.php. Documents related to the proposed amendments to those regulations are on file for public inspection at the Office of the County Clerk and Recorder and at the Flathead County Planning and Zoning Office.

The public hearing will be held on the **17th day of December, 2015, at 11:00 o'clock a.m.,** in the Office of the Board of Commissioners of Flathead County, Third Floor, Old Courthouse, Kalispell, Montana. At the public hearing, the Board of Commissioners will give the public an opportunity to be heard regarding the proposed change to the text of the Flathead County Zoning Regulations.

Written comments are encouraged and will be reviewed by the Commissioners prior to the hearing if received by the Flathead County Commissioners’ Office at least three business days prior to the hearing.

DATED this 19th day of October, 2015.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By: /s/ Gary D. Krueger
Gary D. Krueger, Chairman P.T.

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DRAFT RURAL WHITEFISH
ZONING DISTRICT (RWZD) 9.25.15

